

# Murphy Spadaro & Landon

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September 18, 2006

## BY ELECTRONIC FILING

The Honorable Gregory M. Sleet  
United States District Court  
844 King Street  
Lock Box 27  
Wilmington, DE 19801

**RE: Constantini v. Optimum Choice, Inc.  
C.A. No. 05-680GMS**

Dear Judge Sleet:

Consistent with instructions we received from Magistrate Judge Thynge, I write on behalf of both parties to confirm that we have reached an agreement to settle this case. Settlement papers are being prepared, and a stipulation of dismissal should be filed in due course.

I am available to address any questions regarding these developments.

Respectfully,

/s/ John S. Spadaro

John S. Spadaro

JSS/slr

cc: The Hon. Mary Pat Thynge (by mail)  
William E. Mahoney, Jr., Esq. (by electronic filing)

**IN THE UNITED STATES DISTRICT COURT  
IN AND FOR THE DISTRICT OF DELAWARE**

JOHN M. CONSTANTINI,	)	
on his own behalf and as administrator	)	
of the estate of CHERYL A. CONSTANTINI,	)	
	)	C.A. No. 05-680GMS
Plaintiff,	)	
	)	
v.	)	
	)	
OPTIMUM CHOICE, INC.	)	
	)	
Defendant.	)	

**NOTICE OF SERVICE**

I hereby certify that on this date, I electronically filed the foregoing document with the Clerk of the Court using CM/ECF which will send notification of such filing(s) to the following:

William E. Mahoney, Jr., Esq.  
Maryanne T. Donaghy, Esq.  
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Respectfully submitted,

MURPHY SPADARO & LANDON

/s/ John S. Spadaro  
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Attorneys for plaintiff John M. Constantini,  
on his own behalf and as administrator of the estate  
of Cheryl A. Constantini

September 18, 2006